

# EXHIBIT A

# EXHIBIT A

## DISTRICT COURT CIVIL COVER SHEET

County, Nevada

A- 15- 713351- C

Case No.

(Assigned by Clerk's Office)

I X

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):  RITA COLON	Defendant(s) (name/address/phone):  COMMUNITIES IN SCHOOLS OF NEVADA, INC.
Attorney (name/address/phone): JOSHUA M. SANTERAMO, ESQ. SCHEUTZE & McGAHA, P.C. 601 S. Rancho Drive, Suite C-20 Las Vegas, Nevada 89106	Attorney (name/address/phone):

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input checked="" type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum	<input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil cover sheet.

February 3, 2015

Date

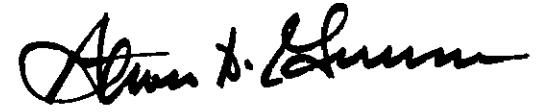
Signature of initiating party or representative

See other side for family-related case filings.

**C...GINAL**

1 **WILLIAM W. McGAHA, ESQ.**  
Nevada Bar #3234  
2 **JOSHUA SANTERAMO, ESQ.**  
Nevada Bar #12086  
3 **SCHUETZE & McGAHA, P.C.**  
601 S. Rancho Drive, Suite C-20  
4 Las Vegas, Nevada 89106  
Fax: (702) 369-2110  
5 Attorneys for Plaintiff

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CLERK OF THE COURT

6 **DISTRICT COURT**  
7 **CLARK COUNTY, NEVADA**

8 RITA COLON, an individual  
9 Plaintiff,

10 vs.

11 **COMMUNITIES IN SCHOOLS OF**  
12 **NEVADA, INC., a Domestic Corporation;**  
13 **DOES I through X inclusive, and ROES**  
**CORPORATIONS XI through XX,**  
14 inclusive,

15 Defendants.

Case No: A- 15- 713351- C

IX

**COMPLAINT FOR:**

1. Retaliation in Violation of the Nevada Industrial Insurance Act;
2. Discrimination in Violation of Title VII of the Civil Rights Act of 1964 (as amended), and the American With Disabilities Act (ADA);
3. Retaliation in Violation of the ADA;
4. Discrimination and Retaliation In Violation of NRS 613.330, et. al;

**[DEMAND FOR JURY TRIAL]**

18 **COMES NOW**, Plaintiffs, RITA COLON, by and through her attorneys of record,  
19 **WILLIAM W. McGAHA, ESQ.**, and **JOSHUA SANTERAMO, ESQ.**, of the law offices of  
20 **SCHUETZE & McGAHA, P.C.**, and for causes of action against Defendants, and each of  
21 them, allege as follows:  
22

23 I.

24 **PARTIES**

25 1. Rita Colon ("Plaintiff") was an individual employed by Communities in Schools  
26 of Nevada, Inc. ("CISN"). Plaintiff is, and was at all times during her employment with CISN  
27 a resident of the County of Clark, State of Nevada.

28 ///

27000; CHECK# 19918  
CLERK VIVIANA A. CANELA

11.

4. During the time material to this Complaint, Plaintiff was employed as a Site Coordinator for CISN and had been an employee since August 4, 2014.

5. Plaintiff was offered a full-time position at a salary of \$36,000.00 per year with a \$600.00 cell phone allowance per year.

Page 2 of 12

1           6.     On September 25, 2014, Plaintiff was injured while on the job. While directing  
2 traffic outside of Diaz Elementary School, she tripped and fell onto her left side.

3           7.     That same day Plaintiff was transported by ambulance to Sunrise Hospital and  
4 Medical Center where she complained of left wrist pain, left hip pain, left knee pain, and left  
5 ankle pain from a ground-level fall. Sunrise Hospital confirmed contusions to the hip, ankle,  
6 knee, and wrist.

7           8.     Sunrise Hospital excused Plaintiff from work through Friday, September 26, 2014  
8 and told her to follow up with a primary care doctor.

9           9.     On September 26, 2014, Plaintiff attempted to follow up with her primary care  
10 provider but was informed that she would need to see a different doctor if it was a workman's  
11 compensation related injury.

12          10.    On September 27, 2014, Plaintiff contacted Valerie Kimball (State Operations  
13 Director) for CISN by email and reported that her doctor's appointment needed to be  
14 rescheduled and that she could not be seen on Friday. Plaintiff also mentioned that she  
15 wanted to write a statement regarding the injury and informed Kimball that a C-4 form would  
16 be faxed by the hospital to CISN. Plaintiff indicated she would follow up with medical care on  
17 September 29, 2014.

18          11.    On September 29, 2014, Kimball responded to Plaintiff's previous email,  
19 thanking her for the communication and informing her that Brandon LNU is completing a report  
20 for which Plaintiff will provide a statement regarding her injury.

21          12.    That same day Plaintiff attempted to treat at Concentra but was turned away.  
22 She was told that the employer needed to initiate the workman's compensation claim before  
23 she could be seen.

24          13.    Later that day, Plaintiff informed Kimball that she would be seen by a workman's  
25 compensation doctor on September 30, 2014 at 9:30 am.

26          14.    On September 30, 2014, Plaintiff was evaluated at Concentra Medical Center.  
27 She was diagnosed with lumbar strain, shoulder/upper arm strain, elbow/forearm strain,  
28 thigh/hip sprain, knee/leg sprain, ankle sprain, and foot sprain. She was provided a back brace

1 and large knee brace. She was to return for reevaluation on October 3, 2013. The report  
2 also made clear under "Activity Status" that Plaintiff was to have "No activity." A Physicians  
3 Work Activity Status Report provided to Defendant and its insurer, Employers Insurance  
4 Company of Nevada, also confirmed Plaintiff was to have no activity.

5 15. Plaintiff contacted CISN following her appointment with Concentra and informed  
6 CISN that she was told to remain out of work and that she was in a knee brace, back brace,  
7 and using a cane. Plaintiff's mother-in-law, Luci, also provided the aforementioned Activity  
8 Status Report to CISN.

9 16. On Friday, October 3, 2014, Kimball confirmed receipt of Luci's email and the  
10 Concentra report and asked for a copy of the follow up report when received.

11 17. That same day, Plaintiff's mother-in-law contacted Kimball and informed her that  
12 the October 3<sup>rd</sup> appointment was rescheduled because Plaintiff was in pain and unable to  
13 move well. This caused difficulties in transporting her and the appointment was rescheduled  
14 for Monday, October 6, 2014.

15 18. On October 6, 2014, Plaintiff was reevaluated at Concentra Medical Center. Her  
16 diagnosis remained the same. Concentra authored another Physician Work Activity Status  
17 Report that under "Patient Status" stated "No Activity." The status also indicated that Plaintiff  
18 had to use a cane and knee brace. A follow up visit was scheduled for October 9, 2014.

19 19. That day, Plaintiff also received correspondence dated October 2, 2014 that her  
20 workman's compensation case was being denied because of an inability to determine that her  
21 injuries were work related.

22 20. On October 7, 2014, Kimball followed up with Plaintiff for a status regarding the  
23 October 6<sup>th</sup> doctor's visit.

24 21. In response, Plaintiff provided a copy of this Activity Status Report from October  
25 6<sup>th</sup>. Plaintiff also informed Kimball that she received notice that her workman's compensation  
26 claim had been denied. She asked Kimball for help with an appeal.

27 22. Thereafter, Plaintiff called a representative, Cary Ferguson, for the Defendant's  
28 insurer, who stated that CISN's Human Resources Department claimed that Plaintiff's injury



1 was not work related.

2 23. On October 7, 2014, Kimball requested more details regarding the October 6<sup>th</sup>  
3 Status Report and return to work status.

4 24. Plaintiff replied stating that she would contact her doctor regarding more details,  
5 but that she understood she would be out for a at least a week and needed to make an  
6 appointment with a specialist. Plaintiff also informed Kimball that she had a follow up  
7 appointment scheduled for Thursday, October 9<sup>th</sup>.

8 25. That same day, Plaintiff contacted Concentra for additional information regarding  
9 her return to work status. Concentra informed Plaintiff that if the employer required a more  
10 detailed Activity Status Report, the employer needed to contact Concentra regarding what  
11 additional specifics are necessary.

12 26. Thereafter, Plaintiff contacted Kimball and informed her that she would need to  
13 follow up with Concentra if additional information was necessary.

14 27. On October 9, 2014, Plaintiff attempted to go to her next appointment with  
15 Concentra but was turned away because the workman's compensation case was denied.

16 28. On October 10, 2013, Kimball called Plaintiff and told her that she was being  
17 terminated for filing a workman's compensation claim, that Plaintiff should not have filed the  
18 claim, and that the claim will cost CISN financially. Plaintiff was informed that she had  
19 "abandoned work" and would be terminated *effective immediately*.

20 29. Thereafter, Kimball emailed Plaintiff claiming that the only documentation she  
21 had regarding Plaintiff's condition shows that she was to return to work on Monday, September  
22 29<sup>th</sup>.

23 30. Plaintiff still had an apple laptop and two books in her workplace filing cabinet  
24 that she requested to a have her father pick up for her.

25 31. In response to Plaintiff's request for her personal property, Kimball emailed  
26 Plaintiff claiming that CISN representatives attempted to retrieve the property but that the  
27 items could not be located. Kimball then cited to a portion of the employee handbook  
28 disclaiming responsibility for the lost items. Plaintiff and her family were also banished from

1 entering the premises to look for the property themselves.

2 32. On October 16, 2014, Plaintiff was evaluated at Southwest Medical Associates  
3 Urgent Care. This was the first date that she was released to light duty work. Plaintiff could  
4 have completed her job duties on a light duty basis had she remained employed.

5 33. On November 6, 2014, Plaintiff filed a charge of discrimination with the U.S.  
6 Equal Employment Opportunity Commission, Las Vegas Local Office and the Nevada Equal  
7 Rights Commission alleging violations of disability harassment and discrimination under the  
8 ADA, and retaliation. Plaintiff was issued a Notice of Right to Sue. Please see attached  
9 **"Exhibit 1"**, Notice of Right to Sue.

10 34. On December 2, 2014, CISN, through counsel, provided a copy of Plaintiff's  
11 employee file.

12 35. The file contained an exit interview document signed by Kimball on October 10<sup>th</sup>  
13 but unsigned by Plaintiff, indicating that Plaintiff would not be eligible for rehire and was  
14 terminated for "attendance."

15 36. The file also contained an October 1, 2014 letter signed by Brandon LNU for  
16 CISN but unsigned by Plaintiff, alleging various "Professional Conduct" issues that Plaintiff  
17 had. Plaintiff disputes the veracity of the allegations, which were not documented until after  
18 her injury.

19 37. The file is devoid of any disciplinary documentation or evaluations prior to the  
20 time of Plaintiff's injury.

21 38. Defendant CISN has also threatened Plaintiff and her family with litigation in an  
22 effort to intimidate her from pursuing her legal claims.

23 39. On December 3, 2014, the State of Nevada Department of Administration  
24 Hearings Division reversed Defendant's insurer's denial of Plaintiff's workman's compensation  
25 claim.

26 40. As a result of her termination and initial denial of her workman's compensation,  
27 Plaintiff has suffered lost wages and other financial harm, emotional distress and depression,  
28 and had her treatment significantly delayed.



## III.

**FIRST CAUSE OF ACTION****(Retaliation In Violation of the Nevada Industrial Insurance Act)**

40. Plaintiff repeats and re-alleges every allegation made in the paragraphs above, as though set forth fully herein.

41. The Nevada Supreme Court has recognized a cause of action for "tortious discharge," which arises out of the employer-employee relationship but is not dependent on a contract of continued employment. The essence of a tortious discharge is the wrongful, usually retaliatory, interruption of employment by means which are deemed to be contrary to the public policy of this state. D'Angelo v. Gardner, 107 Nev. 704 (Nev. 1991).

42. That the Nevada Supreme Court has also recognized a cause of action for "tortious discharge" in violation of public policy when an employee is retaliated against by an employer for pursuing his or her rights under the Nevada Industrial Insurance Act. Hansen v. Harrah's, 100 Nev. 60 (Nev. 1984).

43. Defendant CISN retaliated against Plaintiff in violation of the Nevada Industrial Insurance Act by taking adverse employment action against Plaintiff, including but not limited to fabricating misconduct allegations, terminating her employment, refusing to return her personal property, and threatening her with litigation to intimidate her from pursuing legal remedies.

44. As a direct and proximate result of Defendants' unlawful, discriminatory conduct, Plaintiff suffered financial harm, lost wages, loss of earning capacity, loss of employment, and severe physical and emotional distress for which she claims all available categories of damages, including compensatory and punitive damages from Defendant(s).

45. The above described acts of Defendant(s) were intentional, deliberate, willful, malicious, reckless and done with a conscious disregard for the harm caused to Plaintiff and her protected rights, and justify punitive damages.

46. Plaintiff is entitled to all legal and equitable remedies available under D'Angelo v. Gardner, 107 Nev. 704 (Nev. 1991), the Nevada Industrial Insurance Act, Hansen v.

1 Harrah's, 100 Nev. 60 (Nev. 1984) and its corresponding case line, as a result of the retaliation  
2 suffered as a direct result of Defendants' conduct.

3 47. As a further result of Defendant(s) above described actions, Plaintiff has been  
4 required to obtain the services of an attorney to prosecute this action, and is therefore entitled  
5 to reasonable attorney's fees and costs.

#### 6 IV.

#### 7 SECOND CAUSE OF ACTION

#### 8 (Unlawful Employment Practices: Discrimination 9 on the Basis of Disability Against the Defendant Employer)

10 48. Plaintiff repeats and re-alleges every allegation made in the paragraphs above,  
11 as though set forth fully herein.

12 49. Plaintiff belongs to the class of individuals protected by Title I of the Americans  
13 with Disabilities Act (ADA).

14 50. Under the ADA and applicable laws cited herein, Defendant CISN has a duty to  
15 not treat an applicant or employee less favorably because she has a history of a disability, or  
16 because she is believed to have a physical or mental impairment. The law requires an  
17 employer to provide reasonable accommodations to an employee or job applicant with a  
18 disability, unless doing so would cause significant difficulty or expense for the employer  
19 ("undue hardship"). Further, the law forbids discrimination when it comes to any aspect of  
20 employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe  
21 benefits, and any other term or condition of employment. Plaintiff has the same rights in every  
22 State, among other things, to the full and equal benefit of the laws and proceedings for the  
23 security of persons and property as enjoyed by all citizens, and shall, among other things, be  
24 subject to like exactions of every kind, and to no other.

25 51. That Plaintiff suffered from a covered disability in one (or all) of three ways:

- 26 (a) Plaintiff was disabled by way of a physical condition that substantially  
27 limited a major life activity, including walking, standing, working, and  
28 carrying;

1 (b) Plaintiff has a medically documented physical disability related to her  
2 back, hip and leg; and

3 (c) Plaintiff has suffered from a physical disability that lasted more than six  
4 months and was not minor in nature, ultimately requiring surgical  
5 intervention.

6 52. That Defendant CISN also regarded Plaintiff as having said disability.

7 53. That Plaintiff placed CISN on notice in September 2014 of her injuries and  
8 disability, and provided corroborating documentation from she was under care of a physician.

9 54. That once put on notice of Plaintiff's injury, CISN failed to engage Plaintiff in any  
10 sort of formal or informal interactive process as required under the ADA and applicable laws  
11 cited herein to clarify what her individual needs were, and identify appropriate  
12 accommodations that would be necessary during the pendency of his injury and disability.

13 55. That instead, CISN terminated Plaintiff and refused to provide any  
14 accommodations under the pretext that Plaintiff "abandoned work."

15 56. That CISN could have allowed Plaintiff to work with reasonable accommodations  
16 that would not have caused an undue hardship had it engaged Plaintiff in an interactive formal  
17 or informal process, including providing time off and light duty accommodations, which were  
18 approved by October 16, 2014.

19 57. That CISN has taken it upon itself to state that Plaintiff is ineligible for a rehire  
20 even if she is released to full duty and made this determination on October 10<sup>th</sup>, the day of  
21 Plaintiff's termination.

22 58. That CISN was fully aware of Plaintiff's course of treatment and that she was to  
23 have no activity until October 16<sup>th</sup>, but failed to maintain Plaintiff's employment position or a  
24 reasonable alternative position so that she could return to work.

25 59. Plaintiff timely filed charges of discrimination with the Equal Employment  
26 Opportunity Commission (EEOC) against CISN alleging discrimination and harassment based  
27 on disability.

28 ///

60. The conduct of CISN described in this Complaint constitutes unlawful discrimination in violation of the Americans with Disabilities Act (ADA).

61. As a direct and proximate result of CISN's unlawful, discriminatory conduct, Plaintiff suffered financial harm, lost wages, loss of earning capacity, loss of employment, and severe physical and emotional distress for which she also claims compensatory and punitive damages. The above described acts of CISN were intentional and done with a conscious disregard for Plaintiff's protected rights.

62. As a further result of CISN's above described actions, Plaintiff has been required to obtain the services of an attorney to prosecute this action, and is therefore entitled to reasonable attorney's fees and costs.

## VI.

### THIRD CAUSE OF ACTION

#### (Retaliation in Violation of the ADA)

63. Plaintiff repeats and re-alleges every allegation made in the paragraphs above, as though set forth fully herein.

64. Defendant CISN retaliated against Plaintiff in violation of the ADA by taking adverse employment action against Plaintiff, including but not limited to fabricating misconduct allegations, terminating her employment, refusing to return her personal property, and threatening her with litigation to intimidate her from pursuing legal remedies.

65. As a direct and proximate result of Cove Electric's unlawful, discriminatory conduct, Plaintiff suffered financial harm, lost wages, loss of earning capacity, loss of employment, and severe physical and emotional distress for which she claims all available damages, including compensatory and punitive damages from Defendant(s).

66. The above described acts of Defendant(s) was intentional, deliberate, willful, malicious, reckless and done with a conscious disregard for the harm caused to Plaintiff and his protected rights, and justify punitive damages.

67. Plaintiff is entitled to all legal and equitable remedies available under the ADA as a result of the retaliation suffered as a direct result of CISN's conduct.

68. CISN retaliated against Plaintiff because Plaintiff opposed that which she reasonably and in good faith believed to be unlawful discrimination in her employment.

69. As a further result of Defendant(s) above described actions, Plaintiff has been required to obtain the services of an attorney to prosecute this action, and is therefore entitled to reasonable attorney's fees and costs.

## VI.

### FOURTH CAUSE OF ACTION

#### **(Disability Discrimination, and Retaliation Pursuant to NRS 613.330, et. al)**

70. Plaintiff repeats and re-alleges every allegation made in the paragraphs above, as though set forth fully herein.

71. The above discrimination, harassment and retaliatory termination by Defendant constitutes unlawful discriminatory employment practices under the Nevada Equal Employment Opportunity Act, NRS 633.310 et seq.

72. As a direct and proximate result of Defendant's discriminatory acts, Plaintiff has suffered and shall continue to suffer monetary damages for the loss of income, false accusations, mental anguish and violation of her rights unless and until the Court grants relief.

73. Plaintiff has had to engage the services of attorneys to represent her in this matter and is entitled to an award of reasonable attorney's fees.

**WHEREFORE**, Plaintiffs request relief as follows:

1. Back pay, front pay, benefits, statutory and other recoverable damages as allowed by all applicable laws cited herein;
2. Injunctive relief prohibiting future retaliation and enjoining present discrimination;
3. Punitive damages;
4. Attorney's fees and costs pursuant to all applicable laws cited herein;
5. For past and future damages in excess of \$10,000.00;

///

///

///

1 6. For pre-judgment and post-judgment interests; and

2 7. For such other and further relief as the Court deems proper.

3 **DATED** this 3 day of February, 2015.

4 **SCHUETZE & McGAHA, P.C.**

5  
6 By 

7 **WILLIAM W. McGAHA, ESQ.**

8 Nevada Bar #3234

9 **JOSHUA SANTERAMO, ESQ.**

10 Nevada Bar #12086

11 601 S. Rancho Drive, Suite C-20

12 Las Vegas, Nevada 89106

13 Attorney for Plaintiff



**EXHIBIT 1**

## DISMISSAL AND NOTICE OF RIGHTS

To: Rita Colon  
Po Box 26812  
Las Vegas, NV 89126

From: Las Vegas Local Office  
333 Las Vegas Blvd South  
Suite-8112  
Las Vegas, NV 89101

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

487-2015-00107

Robert Holmes,  
Investigator

(702) 388-5013

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

On behalf of the Commission



Amy Burkholder,  
Local Office Director

NOV 06 2014

Enclosures(s)

(Date Mailed)

cc:

CIS COMMUNITIES IN SCHOOLS OF NEVADA  
ATTN: Human Resources Director  
3720 Howard Hughes Parkway  
Las Vegas, NV 89169

IAFD

JOSHUA M. SANTERAMO, ESQ.

Nevada Bar #12086

SCHUETZE &amp; McGAHA, P.C.

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Las Vegas, Nevada 89106

(702) 369-3225

JAMS@smlvlaw.net

Attorneys for Plaintiff

## DISTRICT COURT

## CLARK COUNTY, NEVADA

RITA COLON, an individual

Plaintiff,

vs.

COMMUNITIES IN SCHOOLS OF  
NEVADA, INC., a Domestic Corporation;  
DOES I through X inclusive, and ROES  
CORPORATIONS XI through XX,  
inclusive,

Defendants.

CASE NO:

DEPT NO:

**INITIAL APPEARANCE FEE DISCLOSURE**

Pursuant to N.R.S. 19, as amended by Senate Bill 106, filing fees are submitted for parties appearing in the above entitled action as indicated below:

Plaintiff RITA COLON	\$270.00
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<b>TOTAL REMITTED</b>	<b>\$270.00</b>
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**DATED** this 3 day of February 2015.

SCHUETZE &amp; McGAHA, P.C.

By

JOSHUA M. SANTERAMO, ESQ.

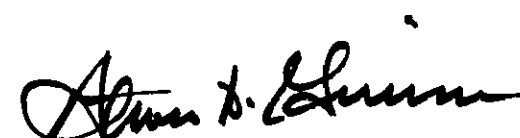
Nevada Bar #12086

601 S. Rancho Drive, Suite C-20

Las Vegas, Nevada 89106

Attorney for Plaintiff

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CLERK OF THE COURT

**SUMMS**  
**JOSHUA M. SANTERAMO, ESQ.**  
Nevada Bar #12086  
**SCHUETZE & McGAHA, P.C.**  
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Las Vegas, Nevada 89106  
(702) 369-3225  
[JMS@smlvlaw.net](mailto:JMS@smlvlaw.net)

Attorneys for Plaintiff

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

RITA COLON, an individual

Plaintiff,

vs.

COMMUNITIES IN SCHOOLS OF  
NEVADA, INC., a Domestic Corporation;  
DOES I through X inclusive, and ROES  
CORPORATIONS XI through XX,  
inclusive,

Defendants.

**CASE NO:**  
**DEPT NO:**

*A-15-713351-C*  
*IX*

**SUMMONS**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT: A civil Complaint has been filed by the plaintiff against you for the relief set forth in the Complaint.**

**COMMUNITIES IN SCHOOLS OF NEVADA, INC., a Domestic Corporation**

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you exclusive of the day of service, you must do the following:

a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court.

b. Serve a copy of your response upon the attorney whose name and address is shown below.

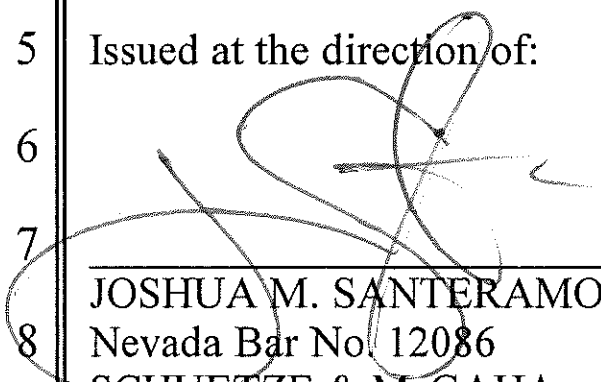
2. Unless you respond, your default will be entered upon application of the plaintiff and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

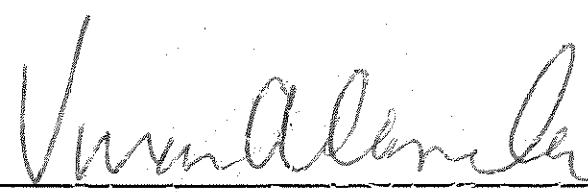
3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.

4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators, each have 45 days after service of this Summons within which to file an answer or other responsive pleading to the Complaint.

Issued at the direction of:

CLERK OF COURT

  
 JOSHUA M. SANTERAMO, ESQ.  
 Nevada Bar No. 12086  
 SCHUETZE & McGAHA  
 601 S. Rancho Drive, Suite C-20  
 Las Vegas, Nevada 89106  
 Attorneys for Plaintiffs  
 (702) 369-3225

  
 DEPUTY CLERK  
 County Courthouse  
 200 Lewis Avenue  
 Las Vegas, Nevada 89155

Date

VIVIAN A. CANELA

FEB 19 2015

NOTE: When service is by publication, add a brief statement of the object of the action.  
 See Rules of Civil Procedure, Rule 4(b).

# Affidavit of Process Server

RITA COLON vs COMMUNITIES IN SCHOOLS OF NEVADA INC. A-15-713351-C  
PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE NUMBER

I, JOHN WILKS #1092, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served COMMUNITIES IN SCHOOLS OF NEVADA INC.  
NAME OF PERSON / ENTITY BEING SERVED

with (list documents) SUMMONS & COMPLAINT RECEIVED ON 3-12-2015

by leaving with VALORIE KIMBALL AUTHORIZE TO ACCEPT FOR R/A DIANE E. FEARON At  
NAME RELATIONSHIP / TITLE

( ) Residence ADDRESS CITY / STATE  
 (X) Business 3720 HOWARD HUGHES PKWY LAS VEGAS 89169  
ADDRESS CITY / STATE

On MARCH 16th 2015 At 9:11 A.M.  
DATE TIME

## Manner of Service:

- (X) Personal: By personally delivering copies to the person being served; or Agent for Service  
 ( ) Substituted at Residence: By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of 14 and explaining the general nature of the papers.  
 ( ) Substituted at Business: By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.  
 ( ) Posting: By posting copies in a conspicuous manner to the front door of the property/entity being served, thereafter copies of the documents were mailed by prepaid, first class mail on \_\_\_\_\_, from \_\_\_\_\_

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

- ( ) Unknown at Address ( ) Moved, Left no Forwarding ( ) Service Cancelled by Litigant ( ) Unable to Serve in a Timely Fashion  
 ( ) Address Does Not Exist ( ) Other \_\_\_\_\_

Service Attempts: Service was attempted on: (1) \_\_\_\_\_ (2) \_\_\_\_\_  
DATE TIME REPORT DATE TIME REPORT  
 (3) \_\_\_\_\_ (4) \_\_\_\_\_ (5) \_\_\_\_\_  
DATE TIME REPORT DATE TIME REPORT DATE TIME REPORT

Description: Age 40 Sex F Race W Height 5'6" Weight 125 Hair BLND Beard \_\_\_\_\_ Glasses \_\_\_\_\_

Dated: \_\_\_\_\_ 2015

SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015

NOTARY PUBLIC in and for the \_\_\_\_\_  
 County of \_\_\_\_\_, State of \_\_\_\_\_

OR: THE FOLLOWING: Per NRS 53.045

(a) If executed in this State ( NEVADA):

"I declare under the penalty of perjury that the foregoing is true and correct"

Executed on MARCH 16th 2015  
DATE

SIGNATURE OF PROCESS SERVER

JOHN WILKS PROCESS SERVING LIC#1092  
 6440 SKY POINTE DR. 140-122  
 LAS VEGAS NV 89131  
 (702) 839-2957